

IFW

00862.023385.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nobushige KORENAGA

Application No.: 10/735,650

Filed: December 16, 2003

For: ALIGNMENT APPARATUS AND EXPOSURE
APPARATUS USING THE SAME

)
: Examiner: J. Waks
)
: Group Art Unit: 2834
)
: Confirmation No.: 3534
)
:
) February 25, 2005
:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

☒ No additional claim fee is required.

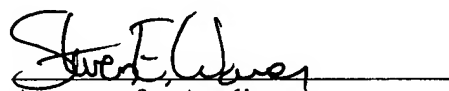
The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20	MINUS	20	= 0	x \$25 \$50	\$0.00
INDEP. CLAIMS	3	MINUS	3	= 0	x \$100 \$200	\$0.00
Fee for Multiple Dependent claims \$180/\$360						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

- ☐ A check in the amount of \$ _____ is enclosed to cover the additional claim fee.
- ☐ Charge \$ ____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- ☐ A check in the amount of \$ _____ to cover the fee for a _____ month extension is enclosed.
- ☐ A check in the amount of \$ ____ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,


Attorney for Applicant
Steven E. Warner
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
SEW/eb

DC_MAIN 194264v1



00862.023385.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
	: Examiner: J. Waks
Nobushige KORENAGA)
	: Group Art Unit: 2834
Application No.: 10/735,650)
	: Confirmation No.: 3534
Filed: December 16, 2003)
	:
For: ALIGNMENT APPARATUS AND EXPOSURE) February 25, 2005
APPARATUS USING THE SAME	:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office
Action dated January 27, 2005.

In the Office Action, the Examiner sets forth a restriction requirement among three groups of claims. Group I, claims 1-12, is drawn to a linear motor with a plurality of coils in two perpendicular directions, and is classified in class 310, subclass 12. Group II, claims 13-19, is drawn to an exposure apparatus, and is classified in class 355, subclass 72. Group III, claim 20, is drawn to a method of manufacturing a wafer, and is classified in class 430, subclass 311.

The Examiner asserts that the inventions of Groups I and II are related as combination and subcombination, and that the inventions of Groups I and III and Groups II and III are related as process and apparatus for its practice, respectively, and have acquired a separate status in the art as shown by their different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicant notes that the inventions of Groups I , II and III are so closely related in the field of alignment and exposure using movable elements, stator coils and current controllers, that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicant further submits that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicant's overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicant's invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to substantially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.


In the interest of economy, for the Office, for the public-at-large and for Applicant, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects, with traverse, to prosecute the invention of Group I, namely claims 1-12.

Favorable consideration and an early passage to issue are also requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,


Attorney for Applicant
Steven E. Warner
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SEW/eab

DC_MAIN 194259v1